



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services Administration

Subject of possible rule making:

The Division of Developmental Disabilities is proposing to amend all WAC's governed by DDD to change any language that refers to "Mentally Retarded" or "Mental Retardation" to "Intellectually Disabled" or "Intellectual Disability". Furthermore any language that includes the wording "ICF/MR" should be changed to "ICF/ID".

Statutes authorizing the agency to adopt rules on this subject: RCW 71A.10.020, RCW 44.04.280

Reasons why rules on this subject may be needed and what they might accomplish:

In 2010, President Barack Obama signed into law "Rosa's Law", which directed federal law references to "mental retardation" to be changed to "intellectual disability", and references to a "mentally retarded individual" to be changed to an "Individual with an intellectual disability".

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The Washington State legislature updated RCW 71A.10.020 which eliminates the term "mental retardation" and has replaced it with the term "intellectual disability". Changes to these WACs will keep our rules in line with changes to this RCW.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact: Meredith Kelly, Program Manager

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DATE

October 31, 2011

NAME (TYPE OR PRINT)

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SIGNATURE

TITLE

DSHS Rules Coordinator

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STATE OF WASHINGTON
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